

STATUS OF AMENDMENTS RULEMAKING 10 CFR 850 CHRONIC BERYLLIUM DISEASE PREVENTION PROGRAM

***Beryllium Health and Safety Committee
Meeting
Las Vegas, NV***

November 5, 2009

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Rule Strategy in 2008

- **HS Provided OGC with List of Requirements to Update**
- **OGC Approved Initiation of Rulemaking for Amendments**
- **Estimated 2 Year Process**
- **3 Years is More Realistic**



Summary of Major Tasks

- **Draft Notice of Proposed Rulemaking (NOPR)**
- **Internal Reviews***
- **Secretarial Approval**
- **Office of Management and Budget Approval**



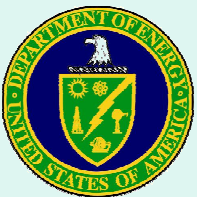
***Internal Reviews**

- **1st--Comment Only July 2008**
- **2nd--Concurrence May 2009**
 - Received Significant Comments
- **3rd--Concurrence November 2009**
 - Believe Comments are Resolved



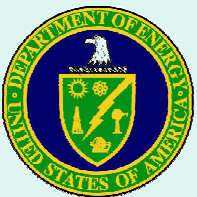
Summary of Major Tasks

- **Public Comment**
- **Prepare Final Amendments**
- **Internal Approval**
- **Secretarial Approval**
- **Office of Management and Budget Approval**



Summary of Major Tasks

- **Secretarial Approval**
- **Final Processing**
- **Publish**



Administrative Procedures Act of 1946

- **Addresses Separation of Powers Issues**
 - Public Participation
 - Public Sectors Have Equal Access to Process
- **Process is Formal and Written**
 - Staff May Not Discuss Content
 - Discussion Would Compromise Equal Access



Beryllium Information

- **DOE Web Site**
 - <http://www.hss.energy.gov/HealthSafety/WSHP/BE/>
- **Contact**
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